



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

PIEDMONT REGIONAL OFFICE

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Secretary of Natural Resources

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Director

Gerard Seeley, Jr.
Regional Director

STATE WATER CONTROL BOARD ENFORCEMENT ACTION AMENDMENT to SPECIAL ORDER BY CONSENT ISSUED TO HENRICO COUNTY WATER RECLAMATION FACILITY VPDES Permit No. VA0063690

SECTION A: Purpose

This is an Amendment to a Consent Special Order (hereinafter referred to as the Amendment) issued under the authority of Va. Code §62.1-44.15(8a) by the State Water Control Board to Henrico County, for the purpose of revising certain provisions of that Consent Special Order (hereinafter referred to as the Order) issued by the State Water Control Board to Henrico County on January 7, 2003.

SECTION B: Basis for Amendment

1. Henrico County owns and operates a wastewater treatment facility in Varina, Virginia. This facility is the subject of VPDES Permit No. VA0063690, which allows Henrico County to discharge treated wastewater into the James River in strict compliance with terms, limitations and requirements outlined in the permit. The Department issued a Consent Special Order to Henrico County on January 7, 2003 for permit effluent violations and sanitary sewer overflows from the collection system.
2. To address effluent violations, the Order required Henrico County to develop and implement a detailed written interim startup program for optimizing operational efficiency of new and existing treatment units during construction of the current upgrade. Henrico County has completed all of the corrective action required to address the effluent violations. To address the sanitary sewer overflows, the Order required the submittal of a formal operation and maintenance manual for the sewer collection system and a five year schedule for the completion of previously identified

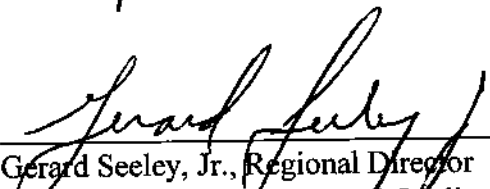
inflow and infiltration (I&I) projects. The O&M manual was submitted and Henrico County is currently completing the I&I projects. Henrico County also developed a preventative action plan to assist treatment plant operators in the diagnosis and treatment of influent constituents that may cause toxicity or inhibition to the sludge biomass. Henrico County paid a \$25,500 civil charge as part of the Consent Order.

3. On November 4, 2004, Henrico County requested the Order be amended to include an additional I&I project for the Fourmile Creek Trunk Sewer line. The Board approved the request on March 17, 2005.
4. On November 12, 2006, Henrico County reported a 275,000 gallon SSO that entered Horsepen Branch between 5928 and 6100 Morningside Avenue. On November 21, 2006, the Department met with Henrico County to discuss the November 12th unauthorized discharge. Henrico County stated that the sewer lines in the Morningside Avenue area are scheduled to be replaced with a new \$7,000,000 sewer line designed to increase flow capacity and reduce hydrogen sulfide generation. This project is currently not covered under the January 7, 2003 Order or the March 17, 2005, Amendment.
5. On June 11, 2007, Henrico County requested an extension to the construction completion date for the Gillies Creek pump station required by the Consent Order. The extension was requested due to delays in repairing East Richmond Road after it collapsed due to Tropical Storm Gaston in 2004.
6. This Amendment is being issued to consolidate the uncompleted requirements of the January 7, 2003 Consent Order and the March 17, 2005 Amendment, and to allow the addition of the Morningside Avenue I&I project and the extension of the Gillies Creek pump station to December 15, 2007. This Amendment shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; or (2) seeking subsequent remediation of the Facility as may be authorized by law.

SECTION C: Agreement and Order

Accordingly, the State Water Control Board, by virtue of the authority granted it in VA Code §62.1-44.15(8a), orders Henrico County, and Henrico County agrees, to perform the actions described in Appendix A of this Amendment which supercedes the March 17, 2005 Amendment and Appendix A of the January 7, 2003 Order. Both the Board and Henrico County understand and agree that this Amendment does not alter, modify, or amend any other provision of the Order and that unmodified provisions of the Order remain in effect by their own terms.

And it is so ORDERED this day of September²⁷, 2007.


Gerard Seeley, Jr., Regional Director
Department of Environmental Quality

Henrico County voluntarily agrees to the issuance of this Amendment.

By: Arthur D. Petriani

Date: 8/20/07

in 8/20/07

State of Virginia

City/County of Henrico

The foregoing instrument was acknowledged before me this 20th day of August, 2007,

by Arthur D. Petriani name of person acknowledging, who is
(Name)

Director of Public Utilities of Henrico County, on behalf of Henrico County.
(Title)


Notary Public

My commission expires: October 31, 2010 #259165

APPENDIX A

Henrico County shall:

1. On or before December 15, 2007, complete the Department approved I&I project known as Gillies Creek.
2. On or before September 1, 2008, complete the Department approved I&I project known as Morningside Avenue.
3. On or before August 15, 2015, complete the Department approved I&I project known as Fourmile Creek.
4. On July 15, 2007, and every six (6) months until this Order is terminated, submit to the Department a progress report of the status of each uncompleted I&I project.